

29 cancelled
--25. (new) The cultivation system according to claim 24, wherein said free space is common to at least a number of said accommodations at the bottom.--

REMARKS

The application has been amended as needed so as to place it in condition for allowance at the time of the next Official Action.

In the course of this revision, subject headings have been inserted at the appropriate locations throughout the specification in a manner consistent with the preferred guidelines set forth at 37 CFR §1.77 and Section 601 of the Manual of Patent Examining Procedure (MPEP).

The Official Action had objected to the disclosure due to the presence of several minor informalities, which by the present amendment have been corrected.

Claim 7 was rejected under 35 USC §112, second paragraph, for indefiniteness. This particular claim has been cancelled and replaced with a new claim 20, which is believed to be free of any criticisms under 35 USC §112. Specifically, claim 20 now recites that the clamping means comprise strips of material fixed at the top of the accommodations for resiliently clamping the plants, as is clearly supported in the specification on page 4, lines 23-27.

Claims 1, 2, 5 and 6 were rejected under 35 USC §102(b) as being anticipated by WATKINS 5,787,641.

Claims 3 and 4 were rejected under 35 USC §103(a) as being unpatentable over WATKINS in view of the European reference 758,524. The Official Action concludes that it would have been obvious to one of ordinary skill in the art to have combined the teachings of the European reference to the plant tray of WATKINS in order to make the plates capable of supporting the plant placed within the accommodation.

Claims 8 and 9 were rejected under 35 USC §103(a) as being unpatentable over WATKINS in view of another European reference 195,693. It is concluded that it would have been obvious to one of ordinary skill in the art to have applied the teachings of the European reference to the WATKINS plant tray in order to provide a strong site at which to secure the means to the tray.

Claims 11, 12 and 13 were rejected under 35 USC §103(a) as being unpatentable over WATKINS in view of a third European reference 565,201. It is concluded that it would have been obvious to one of ordinary skill in the art to have combined the teachings of this European reference to the WATKINS plant tray for shipping and cultivation of tulip bulbs or any other bulbous plant.

Reconsideration of the above rejections is respectfully requested for the following reasons.

The Primary Examiner had kindly indicated that claim 10 would be allowable if rewritten in independent form so as to

include all of the limitations of the base claim and any intervening claims.

By the present amendment, it will be seen that the same has been effected. Specifically, newly-presented independent claim 14 includes the allowable subject matter formerly recited in claims 1 and 10, thereby obviating and rendering moot the above-noted rejections. Similarly, former claim 12 has been rewritten as an independent claim, which includes all of the limitations of former claims 1 and 10, and consequently is likewise believed to be allowable.

Since dependent claims 15-23 and 25 depend directly or indirectly from an otherwise allowable independent claim, they are likewise believed to patentably distinguish from the applied prior art.

In view of the present amendment and the foregoing remarks, therefore, it is believed that this application has been placed in condition for allowance. Reconsideration and allowance on the basis of new claims 14-25 are accordingly solicited.

In the event that there are any questions relating to this amendment or to the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that the prosecution of this application may be expedited.

SMAK S.N. 09/720,906

Attached hereto is a marked-up version of the changes made to the specification. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

Page 1, lines 3 and 4 have been amended as follows:

--The present invention relates to a plant tray [according to the preamble clause of Claim 1] comprising a plastic body having a number of accommodations for plants.--;

the paragraph beginning on line 13 has been amended as follows:

--According to an alternative a tray is provided consisting of an essentially open container having a base surface from which a number of spikes or nails protrude onto which the bulbs concerned are pushed. There are thus no boundaries between the bulbs. Water is transported continuously or intermittently through a container of this type, as a result of which the problem of slime formation, stench and rotting is eliminated. The bulbs are arranged freely adjoining one another and it has been found that as a result of appreciable root formation and spread, the bulbs can no longer be removed as individual items because the roots of adjacent bulbous plants become appreciably intertwined. This latter system is used in particular for long-term cultivation, for example ten weeks. The root development during such a long period can be appreciable. It is essential that the pins do not pierce through the root base because this causes irreparable damage to the plant. In practice it has been found that this does occur in particular cases.--.

Page 2, the paragraph beginning on line 6 has been amended as follows:

--[Said] This aim is achieved with a plant tray as described above [having the characterising features of Claim 1], and wherein each opening at the bottom is delimited by a cutting edge acting in the direction the plant is removed from the accommodation. Because the accommodations terminate in an opening at the bottom, a system for the supply and removal of water which is common to the various accommodations can be implemented beneath the tray, as a result of which the production of slime is no longer to be feared. Certainly in the case of long cultivation, there will be appreciable root formation and the roots or adjacent plants may grow into one another. Because of the presence of a cutting edge, when the bulb is withdrawn from the accommodations the soft root material is automatically cut free and no adjacent bulbous plants are removed at the same time.--;

Page 2, the paragraph beginning on line 14 has been amended as follows:

--Stable positioning of the bulbous plants in the accommodations can be promoted by fitting clamping means. A wide variety of types of clamping means are proposed in the prior art. According to an advantageous embodiment of the invention, [said] the clamping means, however, consist of plates which preferably extend perpendicularly to the periphery of the accommodations and

delimit a tapered opening for such a bulbous plant. That is to say, the bulbous plant can be pushed firmly into the clamping means. No damage to the bulbs during further growth has been observed, such as has been found in the case of systems with which the roots are skewered on pins and the like. Fixing of the bulbs is facilitated if such plates are provided with a sharp cutting edge. It is true that there is local cutting into the coat of the bulb as a result, but in general no damage to the base of the bulb takes place. The consequences of damage to the coat are less than those of damage to the base of the bulb. In cases where damage does have an adverse effect, the edges of the plates [can have been] may be chamfered. Moreover, it is possible to fix the plates only at the top or bottom of the tray, as a result of which the plates are able to move resiliently to and fro. Moreover, means can be fitted to determine the depth at which the bulbs have to be introduced over the plates, so that all bulbs are at the same height.--;

Page 2, the paragraph beginning on line 30 and bridging pages 2 and 3 has been amended as follows:

--According to a further advantageous embodiment of the invention, the accommodations are made hexagonal and arranged in a honeycomb pattern. It has been found that optimum [utilisation] utilization of the surface area of the tray is obtained in this way. With an embodiment of this type the clamping plates preferably extend from one or more of the corners

of the hexagon.--.

Page 4, the paragraph beginning on line 8 has been amended as follows:

--As can be seen from Fig. 3, the roots of adjacent plants 6 will become intertwined, certainly if relatively long cultivation over a number of weeks is used. Under normal circumstances this would impede the removal of the plant 6 from the accommodation 2 concerned. Because of the presence of cutting edges [5] 12, however, the relatively soft root tissue can be simply cut through on exerting a pull on plants 6. Because the root tissue is relatively soft, the requirements in respect of the "sharpness" of cutting edges [5] 12 are not too stringent and such a cutting edge can easily be produced directly by injection moulding with conventional chamfering.--.